

REMARKS

Applicant's Invention

Applicant's claims are amended to more particularly point out and distinctly claim his invention under 35 U.S.C. 112. Applicant's invention, in its broadest sense, is directed to an assembly formed on a building site that enables the builder to complete a house have several rooms in a matter of about three days. A poured-in-place wall mold cavity is defined by opposed molding surfaces on vertically disposed, opposed wall molding panels having an upwardly directed top opening into which hardenable material is to be poured and hardened to produce a wall structure with horizontally disposed reinforcement rods.

A unique feature of Applicant's invention is a novel combination that comprises a plurality of separable, horizontally laterally spaced grid means suspended to project outwardly from and along the opposed molding surfaces within the mold cavity. Each separable grid means includes a plurality of tie members that are disposed at vertically spaced preselected vertical locations for accomplishing another unique feature of Applicant's invention, namely, the tie members freely contiguously support the horizontally extending reinforcement rods that are freely disposed on the tie members. The novel grid means retains the freely disposed reinforcement rods substantially parallel to the molding surfaces at a plurality of horizontal locations vertically spaced along and between the opposed wall surfaces ***so that the reinforcement rods do not have to be fixedly attached to any structure.*** The novel grid means are removably attached to the opposed wall molding panels at laterally spaced horizontal distances with respect to each other to retain the reinforcement rods in place while hardenable material is being poured into the wall mold cavity and allowed to harden.

The manufacture and use of Applicant's separable unique grid means enables accelerated building of simple concrete homes at the building sites to alleviate the need for housing in the world. The grid means is a relative inexpensive building item when compared to the use of complex prefabricated building modules such as disclosed by Meilleur (U.S. Patent 6,070,380) that have to be

manufactured off the building site, transported to the site, and then assembled before the pouring of concrete can begin. Applicant's invention eliminates the expensive manufacturing process of the prefabricated module in exchange for the mass production of multiple, simple grid means that can be used to accelerate the on-site production of the mold cavity to receive the poured concrete while retaining the reinforcement rods in place without having them to be fixedly attached to a complex mold cavity construction.

The Rejection

Amended claims 1, 3-7, and 48-50 are rejected under 35 U.S.C. § 102(e) as being anticipated by Meilleur (U.S. Patent 6,070,380). Thus the examiner alleges that no novelty exists in Applicant's invention when compared to Meilleur who discloses a prefabricated concrete formwork module that constitutes the first point of novelty of Applicant's invention over Meilleur as discussed above with respect to Applicant's invention. Meilleur's prefabricated module may be assembled with other similar modules in the manner of a brick wall to form a mold into which concrete is poured. Thus, Meilleur's module is not formed at the building site as expressly stated in Applicant's claims.

Meilleur's formwork module has a reinforcing one-piece structure made of grids 17 and 17' that are parallel to opposing wall panels and fixedly connected by transverse tie-rods 19. Applicant's grid elements project outwardly from his opposing molding surfaces of his wall panels – a second point of novelty in Applicant's claims. Meilleur's grids 17 and 17', tie-rods 19, bridging means 21, arms 23, and wires and rods 25 and 27 constitute his reinforcing structure. Meilleur discloses no freely disposed reinforcement rods freely contiguously supported by and disposed on tie rods that are not integrally a part of his one-piece structure – a third point of novelty in Applicant's claims.

Meilleur discloses a pair of opposite panels integrally formed with his one-piece wire or rod construction – a fourth point of novelty in Applicant's claimed separable grid elements having a plurality of tie members fixedly connected to and laterally spaced along vertically disposed elongate grid elements. Meilleur's panels 13 and 13' are not removably mounted to his one-piece structure –

a fifth point of novelty in Applicant's claimed invention.

Meilleur's structure must have arms 23 defining a bridge for providing stability between adjacent modules when assembled to form a wall – a sixth point of novelty in Applicant's claimed invention that has no “bridging means” because Applicant is not working with prefabricated modules that must be arranged like brick work to form his mold cavity.

It may take weeks or months for someone following Meilleur's teaching to form a mold cavity in a manufacturing facility, transport his modules to a building site, and then laboriously construct his “brick wall” to have a poured-in-place concrete wall. The Meilleur process cannot form Applicant's assembly that can be used to construct a mold cavity for pouring the floor, inner and outer walls, and the ceiling of a house in two to three days.

Contrary to the examiner's application of the Meilleur disclosure, his grid means 17 ' does not “freely contiguously” dispose his “reinforcement” rods 25/23/27; his grid means 17 ' is parallel to the opposing wall panels and not normal as Applicant's claims; and the wall panels 13 and 13' are not portable apart from his one-piece construction as stated and are therefore not “removable” as the examiner alleges.

Contrary to the examiner's allegation, his grid means 17 ' are not “laterally spaced horizontally” with respect to each other “along said opposed molding surfaces.” His grid means 17 ' are laterally spaced horizontally but are parallel not normal to his opposed molding surfaces to be laterally spaced “along” his opposed molding surfaces as Applicant claims.

Contrary to the examiner's allegation 10, his grid means 17 ' do not extend between and normal to the molding surfaces 13 and 13'. Applicant's tie members and elongate grid members are in the same plane that extend normal to Applicant's opposing molding surfaces contrary to Meilleur's grid means 17 ' that are perpendicular to his tie members 19.

Meilleur's rod locating means 17 don't even touch his “reinforcement rods” 23/27 as Applicant claims. The allegation 12 includes reading Meilleur's rods 19 that are perpendicular to his

grid means 17 ' that is not separable from and laterally spaced along the molding surfaces 13 and 13'.

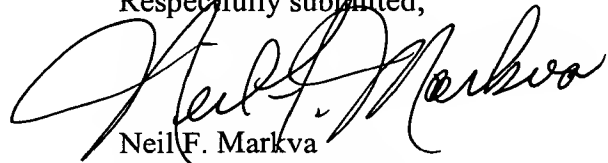
The examiner admits that Meilleur's panels 13 and 13' are cast onto the grids 17 so they are not therefore separable from grids 17.

Conclusion

In view of the foregoing, Applicant's has shown a minimum of six points of novelty over the Meilleur disclosure. Applicant shows that the application of the Meilleur disclosure on Applicant's claimed structure is strained and flawed. For this reason, Meilleur does not anticipate Applicant's claimed invention. Nothing in Meilleur's disclosure teaches Applicant's claimed invention. Moreover, nothing in the Meilleur disclosure would lead one having ordinary skill in the art to do what Applicant is doing.

Reinstatement of claims 9-10, 14-16, 28-29, and 31-35 as presented is requested. Withdrawal of the 102 rejection is earnestly requested and allowance of the claims is asked.

Respectfully submitted,



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